



3761
PATENT \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edward CUMMING

Application No. 09/730,628

Filed: December 5, 2000

For: BREATHING APPARATUS

) Attorney Docket No. MEWBP001
)
)
) Examiner: D. Erez
)
) Group Art Unit: 3761
)
) Date: January 17, 2003
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, Washington, DC 20231 on January 17, 2003.

Signed:

Diane Schwanbeck
Diane Schwanbeck

Commissioner for Patents
Washington, DC 20231

Sir:

Applicant hereby transmits an Amendment in the above-identified application.

The fee has been calculated as shown below.

| | Claims Remaining After Amendment | Highest Previously Paid For | Present Extra | SMALL ENTITY RATE FEE | OR | LARGE ENTITY RATE FEE |
|--------------|---|-----------------------------------|------------------|--------------------------|----|--------------------------|
| TOTAL CLAIMS | 27 - | 20 | 07 | X09 = \$ | OR | X18 = \$126.00 |
| INDEP CLAIMS | 03 - | 03 | 00 | X42 = \$ | OR | X84 = \$ |

[] Multiple Dependent Claim Present
and Fee Not Previously Paid

\$140

\$280

TOTAL

\$

\$126.00



Applicant hereby petitions for a **one-month** extension of time to respond to the Office Action. Applicant believes that no additional extension of time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorizes the Commissioner to charge the required fees for an extension of time under 37 CFR 1.136 to Deposit Account No. 50-0805 (Order No. MEWBP001).



Enclosed is our Check No. 8317 in the amount of \$236.00 to cover the fees for the extension of time and the additional claims.



If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. MEWBP001).

Respectfully submitted,
MARTINE & PENILLA, LLP

Peter B. Martine

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DR
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)
Edward CUMMING) Group Art Unit: 3761
Application No. 09/730,628) Examiner: D. Erez
Filed: December 5, 2000) Atty. Docket No. MEWBP001
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01/24/2003 EFLORES 00000131 09730628

01 FC:1251 110.00 OP
02 FC:1202 126.00 OP

Signed: 

Diane Schwanbeck

AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant submits this paper in response to the Office Action dated September 17, 2002. As a response was due on December 17, 2002, Applicant is concurrently submitting a request for a one-month extension of the period for response. Please amend this application as follows:

IN THE CLAIMS:

Please cancel claim 3. ✓

Please amend claims 1, 2, 4-7, 10-12, 15-17, and 20 as indicated below (marked-up versions of claims 1, 2, 4-7, 10-12, 15-17, and 20 showing the changes made to these claims are attached as separate pages) and add new claims 21-28. For the Examiner's convenience, all pending claims are set forth below, with the claims that have been amended and newly added herein being indicated as such.

MEWBP001/PBM

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